

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0565; Directorate Identifier 2008-NM-217-AD; Amendment 39-16112; AD 2009-24-18]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-600-2A12 (CL-601) and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

* * * [I]ncidents of throttle jam and engine shutdowns, caused by premature wear of the rack and pinion mechanism of part number (P/N) 2100140-005 and -007 Engine Throttle Control Gearbox (ETCG), installed on Bombardier CL-601 and 604 aircraft.

* * * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective January 8, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of January 8, 2010.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Rocco Viselli, Aerospace Engineer, Airframe and Mechanical Systems, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the Federal Register on June 23, 2009 (74 FR 29632). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

There have been various reported incidents of throttle jam and engine shutdowns, caused by premature wear of the rack and pinion mechanism of part number (P/N) 2100140-005 and -007 Engine Throttle Control Gearbox (ETCG), installed on Bombardier CL-601 and 604 aircraft.

Bombardier issued service bulletins (SB) 601-0583 (CL601/601-3A, -3R) and 604-76-004 (CL 604), introducing periodic inspection of the affected ETCG rack and pinion mechanisms for wear.

Subject inspection requirement tasks have now been incorporated into the applicable CL601 and CL604 Time Limits Maintenance Checks (TLMCs) through Temporary Revisions (TR), TR 5-236 (for CL601), TR 5-236 (for CL601-3A & -3R) and TR 5-2-40 (for CL604).

The required action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to incorporate new repetitive functional tests of the ETCG. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

New Note

We have added Note 1 to this AD to clarify compliance with section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)).

Updated Contact Information

We have updated paragraph (g)(1) of this AD to provide the appropriate contact information to use when submitting requests for approval of an alternative method of compliance (AMOC).

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to

ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a Note within the AD.

Costs of Compliance

We estimate that this AD will affect 377 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$30,160, or \$80 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39–AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:



FAA
Aircraft Certification Service

AIRWORTHINESS DIRECTIVE

www.faa.gov/aircraft/safety/alerts/
www.gpoaccess.gov/fr/advanced.html

2009-24-18 Bombardier, Inc. (Formerly Canadair): Amendment 39-16112. Docket No. FAA-2009-0565; Directorate Identifier 2008-NM-217-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective January 8, 2010.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to all Bombardier Model CL-600-2A12 (CL-601) and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) airplanes, certificated in any category.

Note 1: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (g)(1) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Subject

- (d) Air Transport Association (ATA) of America Code 76: Engine controls.

Reason

- (e) The mandatory continuing airworthiness information (MCAI) states:

There have been various reported incidents of throttle jam and engine shutdowns, caused by premature wear of the rack and pinion mechanism of part number (P/N) 2100140-005 and -007 Engine Throttle Control Gearbox (ETCG), installed on Bombardier CL-601 and 604 aircraft.

Bombardier issued service bulletins (SB) 601-0583 (CL601/601-3A, -3R) and 604-76-004 (CL 604), introducing periodic inspection of the affected ETCG rack and pinion mechanisms for wear.

Subject inspection requirement tasks have now been incorporated into the applicable CL601 and CL604 Time Limits Maintenance Checks (TLMCs) through Temporary Revisions (TR), TR 5-236 (for CL601), TR 5-236 (for CL601-3A & -3R) and TR 5-2-40 (for CL604).

The required action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to incorporate new repetitive functional tests of the ETCG.

Actions and Compliance

(f) Unless already done, do the following actions.

(1) Within 30 days after the effective date of this AD: Revise the Airworthiness Limitations section of the Instructions for Continued Airworthiness by incorporating the applicable task in the TR listed in Table 1 of this AD.

Table 1 – Temporary Revisions to the Airworthiness Limitations Section

For Bombardier Model –	Use Canadair Challenger Temporary Revision –	Dated –	To the Airworthiness Limitations Section of –
CL-600-2A12 (CL-601) airplanes	5-236	July 25, 2008	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601-5
CL-600-2B16 (CL-601-3A, and CL-601-3R) airplanes	5-236	March 22, 2007	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601A-5
CL-600-2B16 (CL-604) airplanes	5-2-40	July 28, 2008	Section 5-10-40 of Chapter 5 of the Canadair Challenger CL-604 Time Limits/Maintenance Checks

(2) For the new TLMC tasks identified in Canadair Challenger Temporary Revision 5-236, dated July 25, 2008; Temporary Revision 5-2-40, dated July 28, 2008; and Temporary Revision 5-236, dated March 22, 2007: Initial compliance with the new TLMC tasks must be carried out in accordance with the phase-in schedule detailed in the Canadair Challenger TRs 5-236 and TR 5-2-40, as applicable, after the effective date of this AD. Thereafter, except as provided by paragraph (g)(1) of this AD, no alternative TLMC task intervals may be used.

(3) When information in a TR specified in paragraph (f)(1) has been included in the general revisions of the applicable Airworthiness Limitations section, the TR may be removed from that Airworthiness Limitations section of the Instruction for Continued Airworthiness.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office, ANE-170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Program Manager, Continuing Operational Safety, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector

(PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI Canadian Airworthiness Directive CF-2008-32R2, dated November 17, 2008, and the service information identified in Table 2 of this AD for related information.

Table 2 – Referenced Service Information

Canadair Challenger Temporary Revision –	Dated –	To the Airworthiness Limitations Section of –
5-236	July 25, 2008	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601-5
5-236	March 22, 2007	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601A-5
5-2-40	July 28, 2008	Section 5-10-40 of Chapter 5 of the Canadair Challenger CL-604 Time Limits/Maintenance Checks

Material Incorporated by Reference

(i) You must use the applicable service information contained in Table 3 of this AD to do the actions required by this AD, unless the AD specifies otherwise.

Table 3 – Material Incorporated by Reference

Canadair Challenger Temporary Revision –	Dated –	To the Airworthiness Limitations Section of –
5-236	July 25, 2008	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601-5
5-236	March 22, 2007	Section 5-10-30 of Chapter 5 of the Canadair Challenger Time Limits/Maintenance Checks, PSP 601A-5
5-2-40	July 28, 2008	Section 5-10-40 of Chapter 5 of the Canadair Challenger CL-604 Time Limits/Maintenance Checks

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road, West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; e-mail thd.crj@aero.bombardier.com; Internet <http://www.bombardier.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on November 19, 2009.

Stephen P. Boyd,
Acting Manager, Transport Airplane Directorate,
Aircraft Certification Service.